

COPY

**STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION**

**COUNTY OF LaSALLE, ILLINOIS, DEPARTMENT
OF HIGHWAYS and CITY OF STREATOR,
ILLINOIS,**

Petitioners,

v.

**BURLINGTON NORTHERN AND SANTA FE
RAILWAY COMPANY and STATE OF ILLINOIS
DEPARTMENT OF TRANSPORTATION,**

Respondents.

No. T04-0069

RECEIVED
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*Illinois Commerce Commission
RAIL SAFETY SECTION*

**Petition for an order of the Illinois Commerce
Commission authorizing the replacement of the
structure where E. Broadway Street goes over
the tracks of the Burlington Northern Santa Fe
Railway Company and the SB Warehousing , Inc.
in Streator, LaSalle County, Illinois apportioning
costs thereof and directing an appropriate portion
thereof to be borne by the Grade Crossing
Protection Fund.**

**THE BURLINGTON NORTHERN AND SANTA FE RAILWAY COMPANY'S
FIRST REQUEST FOR PRODUCTION OF DOCUMENTS
DIRECTED TO PETITIONER, LASALLE COUNTY, ILLINOIS**

Now comes respondent, The Burlington Northern and Santa Fe Railway Company ("BNSF"), by its attorneys, Kenneth J. Wysoglad & Associates and pursuant to 83 Illinois Administrative Code §200.360(c) requests that petitioner, LaSalle County, Illinois produce within twenty-eight (28) days of service hereof the following documents to the offices of Kenneth J. Wysoglad & Associates, 118 S. Clinton Street, Suite 700, Chicago, Illinois 60661:

1. Copies of any and all applications for governmental funding of any type for funding, in whole or in part, of any aspect of the East Broadway Street overpass removal and/or overpass replacement as referred to in paragraph 2 of the petition.

DOCKETED

ANSWER:

2. Copies of any and all correspondence, internal communications, memorandum, and/or other documents relating to all such governmental funding applications produced in response to production request No. 1 above.

ANSWER:

3. Copies of any and all correspondence, letters, written communications and/or email by or between petitioners or any petitioner and any respondent relating to or referring to all sources of funding available or to be utilized for any and all aspects of the removal of the existing East Broadway Street overpass and its replacement with a new overpass structure as referred to in paragraph 2 of the petition.

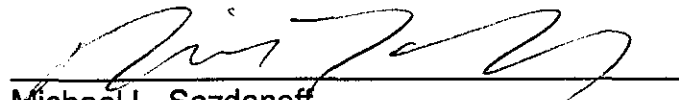
ANSWER:

4. Copies of any and all documents reflecting Federal-aid funding participation for any aspect of the removal of the East Broadway Street overpass and/or any aspect of its replacement with a new overpass structure, including, but not limited to, any Federal-aid participation for demolition costs, preliminary

or final engineering costs for the proposed replacement grade separation structure, land acquisition costs or cost of construction of the new overpass structure.

ANSWER:

KENNETH J. WYSOGLAD & ASSOCIATES


Michael L. Sazdanoff

Michael L. Sazdanoff
Kenneth J. Wysoglad & Associates
Attorneys for Respondent
The Burlington Northern and Santa Fe Railway Company
118 S. Clinton Street, Suite 700
Chicago, Illinois 60661
(312) 441-0333

PROOF OF SERVICE

Michael L. Sazdanoff, being first duly sworn on oath, deposes and says that on the 23 day of NOVEMBER, 2004, he caused to be served, a true and correct copy of **THE BURLINGTON NORTHERN AND SANTA FE RAILWAY COMPANY'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS DIRECTED TO PETITIONER, LASALLE COUNTY, ILLINOIS** upon:

Mr. Lawrence J. Kinzer
LaSalle County Highway Department
P.O. Box 128
1400 North 27th Road
Ottawa, IL 61350

Mr. Ray Schmitt
Mayor, City of Streator
204 S. Bloomington Street
Streator, Illinois 61364-2903

Ms. Pamela K. Leonard
Clerk, City of Streator
204 S. Bloomington Street
Streator, Illinois 61364-2903

Mr. Victor A. Modeer, Director of Highways
ATTN: Mr. Jeff Harpring
Illinois Department of Transportation
2300 S. Dirksen Parkway, Suite 205
Springfield, IL 62764

Mr. Henry Humphries
Railroad Staff
Illinois Commerce Commission
527 E. Capitol Avenue
Springfield, Illinois 62701

by depositing same in the U.S. Mail depository located at Adams and Clinton Streets, Chicago, Illinois in an envelope(s) with first-class postage, prepaid.

